UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.78
26 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Algeria, Botswana, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Djibouti, Egypt, Ethiopia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Libyan Arab Jamahiriya, Madagascar, Malawi, Mali, Morocco, Niger, Nigeria, Rwanda, Senegal, Sierra Leone, Somalia, Sudan, Swaziland, United Republic of Tanzania, Zaire, Zambia and Zimbabwe: draft resolution

Assistance to refugees and displaced persons in Malawi

The General Assembly,

Recalling its resolutions 42/132 of 7 December 1987, 43/148 of 8 December 1988 and 44/149 of 15 December 1989 on assistance to refugees and displaced persons in Malawi,

Having considered the report of the Secretary-General, 1/

Having examined that part of the report of the United Nations High Commissioner for Refugees 2/ that deals with the situation of refugees and displaced persons in Malawi,

Gravely concerned about the continuing serious social and economic impact of the massive presence of refugees and displaced persons, as well as its far-reaching consequences for the country's long-term development process,

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1/ A/45/444.

2/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12 (A/45/12).

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Appreciating the important measures that the Government of Malawi is taking in order to provide shelter, protection, food, education and health and other humanitarian services to thousands of refugees and displaced persons,

Recognizing the heavy burden placed on the people and Government of Malawi and the sacrifices they are making in caring for the refugees and displaced persons, given the country's limited social services and infrastructure, and the need for adequate international assistance to enable them to continue their efforts to provide assistance to the refugees and displaced persons,

Expressing its appreciation for the assistance rendered by Member States, the various organizations of the United Nations system, the Office of the United Nations High Commissioner for Refugees and other international, intergovernmental and non-governmental organizations in support of the refugee programme in Malawi,

Bearing in mind the findings and recommendations of the inter-agency mission to Malawi, 3/ particularly on the need to strengthen the country's socio-economic infrastructure in order to enable it to provide for the immediate humanitarian relief requirements of the refugees and displaced persons, as well as the long-term national development needs of the country,

Recognizing the need to view refugee-related development projects within local and national development plans,

1. Takes note of the report of the Secretary-General;

2. Commends the measures that the Government of Malawi is taking to provide material and humanitarian assistance to refugees and displaced persons, in spite of the serious economic situation it faces, and stresses the need for additional resources to lessen the impact of the presence of refugees and displaced persons on the country's long-term development process;

3. Expresses its appreciation to the Secretary-General, the United Nations High Commissioner for Refugees, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees and displaced persons in Malawi;

4. Expresses grave concern at the serious and far-reaching consequences of the massive presence of refugees and displaced persons in the country and its implications for the long-term socio-economic development of the whole country;

5. Appeals to Member States, the appropriate organs, organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations and the international financial institutions to continue providing the Government of Malawi with the necessary resources for the implementation of development assistance projects in regions affected by the presence of refugees and displaced persons, as well as for the development programmes now being implemented;

3/ See A/43/536, sect. III.

6. Requests the Secretary-General to continue his efforts to mobilize the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees and displaced persons and programmes now being implemented;

7. Requests the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees and displaced persons in their settlements;

8. Requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

UNITED
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General Assembly

Distr.
LIMITED

A/C.3/45/L.79
26 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Algeria, Bangladesh, Botswana, Chad, China, Congo, Costa Rica, Djibouti, Egypt, Guinea, Iran (Islamic Republic of), Iraq, Jordan, Kenya, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Mali, Mauritania, Morocco, Namibia, Niger, Nigeria, Oman, Pakistan, Philippines, Qatar, Romania, Senegal, Sierra Leone, Somalia, Sri Lanka, Sudan, Suriname, Swaziland, Thailand, Tunisia, Turkey, Uganda, United Arab Emirates, United Republic of Tanzania, Yemen, Yugoslavia, Zaire and Zambia: draft resolution

Situation of refugees in the Sudan

The General Assembly,

Recalling its resolution 44/151 of 15 December 1989 and its other previous resolutions on the situation of refugees in the Sudan,

Having considered the report of the Secretary-General 1/ on the implementation of resolution 44/151 and the report of the United Nations High Commissioner for Refugees, 2/

Expressing its appreciation for the efforts made by the Government of the Sudan for the reception of the refugees and the provision of protection, shelter,

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1/ A/45/446.

2/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12 (A/45/12).

food, health, education and other humanitarian services to the ever increasing number of refugees who have been crossing the borders into the Sudan since the early 1960s,

Recognizing the heavy burden shouldered by the people and the Government of the Sudan and the sacrifices they are making to host more than one million refugees, who constitute approximately 7.5 per cent of the total population of the country,

Deeply concerned that the great majority of the refugees have settled of their own accord in various urban and rural communities throughout the country and are thus sharing with the indigenous population the already meagre resources and services,

Expressing grave concern at the devastating and far-reaching effects of the successive calamities, ranging from the drought in 1984 to the torrential rains and floods and locust infestations in 1988 and the drought and food shortage of 1990, that have afflicted the country, thus exacerbating the already deteriorating situation resulting from the presence of this great number of refugees,

Gravely concerned also that the Government of the Sudan, besides dealing with the difficult prevailing economic and social problems, has the additional task of taking care of more than 3.7 million persons displaced by successive calamities and civil strife in the south,

Recognizing the efforts undertaken by the Government of the Sudan to initiate a wide-ranging rehabilitation programme to redress the damages incurred by the natural disasters,

Considering those serious circumstances, which render the Government of the Sudan less prepared than ever to meet its obligations to its own people, and the more serious consequences, which affect the capacity of the Government of the Sudan to receive and grant asylum to additional numbers of refugees,

Expressing its appreciation for the assistance rendered by Member States and intergovernmental and non-governmental organizations in support of the refugee programme in the Sudan,

1. Takes note of the report of the Secretary-General;

2. Takes note also of the report of the United Nations High Commissioner for Refugees and, in particular, of the new trends identified in the area of refugee aid and development;

3. Expresses its appreciation to the Secretary-General, the High Commissioner, donor countries and intergovernmental and non-governmental organizations for their efforts to assist the refugees in the Sudan;

4. Expresses grave concern at the serious and far-reaching consequences of the presence of massive numbers of refugees on the security and stability of the

country and the overall negative impact on its basic infrastructure and socio-economic development;

5. Also expresses grave concern at the shrinking resources available for refugee programmes in the Sudan and the serious consequences of this situation on the country's ability to continue to host and assist refugees;

6. Appeals to Member States, the appropriate organs, organizations and bodies of the United Nations system, intergovernmental and non-governmental organizations and the international financial institutions to provide the Government of the Sudan with the necessary resources for the implementation of development assistance projects, in particular those prepared by the United Nations Development Programme, in the regions affected by the presence of refugees;

7. Requests the Secretary-General to mobilize the necessary financial and material assistance for the full implementation of ongoing projects in the areas affected by the presence of refugees;

8. Requests the High Commissioner to continue co-ordination with the appropriate specialized agencies in order to consolidate and ensure the continuation of essential services to the refugees in their settlements and to explore ways and means to extend assistance to refugees who have settled of their own accord elsewhere;

9. Requests the Secretary-General to report to the General Assembly at its forty-sixth session, through the Economic and Social Council, on the implementation of the present resolution.

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.80
26 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Algeria, Argentina, Bangladesh, Barbados, Benin, Bolivia, Botswana, Burkina Faso, Burundi, Cameroon, China, Colombia, Congo, Côte d'Ivoire, Cuba, Cyprus, Djibouti, Dominican Republic, Egypt, Ethiopia, Ghana, Guinea, Guinea-Bissau, Guyana, India, Indonesia, Iran (Islamic Republic of), Jamaica, Japan, Kenya, Kuwait, Lesotho, Liberia, Madagascar, Malawi, Malaysia, Morocco, Mozambique, Namibia, Nicaragua, Niger, Nigeria, Philippines, Romania, Rwanda, Senegal, Sierra Leone, Sri Lanka, Togo, Uganda, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Republic of Tanzania, Viet Nam, Yemen, Yugoslavia, Zaire, Zambia and Zimbabwe: draft resolution

Assistance to refugees and returnees in Ethiopia

The General Assembly,

Recalling all its resolutions, in particular resolution 44/154 of 15 December 1989, as well as all those of the Economic and Social Council, on assistance to displaced persons in Ethiopia,

Taking note of the report of the Secretary-General, 1/

1/ A/45/447.

Having considered the report of the United Nations High Commissioner for Refugees, 2/

Recognizing the increasing number of refugees and voluntary returnees in Ethiopia,

Deeply concerned about the massive flow of refugees and voluntary returnees into the country and the enormous burden this has placed on the country's infrastructure and meagre resources,

Deeply concerned also about the grave consequences this has entailed for the country's capability to grapple with the effects of the prolonged drought,

Aware of the heavy burden placed on the Government of Ethiopia and of the need for adequate assistance to refugees, voluntary returnees and victims of natural disasters,

1. Commends the Office of the United Nations High Commissioner for Refugees and intergovernmental organizations and voluntary agencies for their assistance in mitigating the plight of the large number of refugees and voluntary returnees in Ethiopia;

2. Appeals to Member States and to international organizations and voluntary agencies to provide adequate material, financial and technical assistance for relief and rehabilitation programmes for the large number of refugees and voluntary returnees in Ethiopia;

3. Requests the United Nations High Commissioner for Refugees to continue his efforts to mobilize humanitarian assistance for the relief, rehabilitation and resettlement of voluntary returnees and the large number of refugees in Ethiopia;

4. Requests the Secretary-General, in co-operation with the High Commissioner, to apprise the Economic and Social Council, at its second regular session of 1991, of the implementation of the present resolution and to report thereon to the General Assembly at its forty-sixth session.

2/ Official Records of the General Assembly, Forty-fifth Session, Supplement No. 12 (A/45/12).

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.81
26 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Austria, Belgium, Canada, Costa Rica, Cyprus, Czechoslovakia, Denmark, Finland, France, Greece, Hungary, Iceland, Italy, Kenya, Luxembourg, Morocco, Netherlands, Norway, Portugal, Spain, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Summary or arbitrary executions

The General Assembly,

Recalling the provisions of the Universal Declaration of Human Rights, 1/ in which it is stated that every human being has the right to life, liberty and security of person,

Having regard to the provisions of the Internationl Covenant on Civil and Political Rights, 2/ in which it is stated that every human being has the in inherent right to life, that this right shall be protected by law and that no one shall be arbitrarily deprived of his life,

Recalling its resolution 36/22 of 9 November 1981, in which it condemned the practice of summary or arbitrary executions, and its resolutions 37/182 of 17 December 1982, 38/96 of 16 December 1983, 39/110 of 14 December 1984, 40/143 of 13 December 1985, 41/144 of 4 December 1986, 42/141 of 7 December 1987, 43/151 of 8 December 1988 and 44/159 of 15 December 1989,

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1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

Deeply alarmed at the continued occurrence on a large scale of summary or aribtrary executions, including extra-legal executions,

Recalling Economic and Social Council resolution 1984/50 of 25 May 1984 and the safeguards guaranteeing protection of the rights of those facing the death penalty annexed thereto, which resolution was endorsed by the Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders in its resolution 15, 3/

Welcoming the close co-operation established between the Centre for Human Rights and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs of the Secretariat and the Committee on Crime Prevention and Control with regard to the elaboration of the principles on the effective prevention and investigation of arbitrary and summary executions, including extra-legal executions,

Recalling Economic and Social Council resolution 1989/65 of 24 May 1989, containing the Principles on the Effective Prevention and Investigation of Extra-legal, Arbitrary and Summary Executions,

Recalling also Economic and Social Council resolution 1989/64 of 24 May 1989, entitled "Implementation of the safeguards guaranteeing protection of the rights of those facing the death penalty" and the recommendations contained therein,

Convinced of the need for appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions, which represents a flagrant violation of the most fundamental human right, the right to life,

1. Once again strongly condemns the large number of summary or arbitrary; executions, including extra-legal executions, that continue to take place in various parts of the world;

2. Demands that the practice of summary or arbitrary executions be brought to an end;

3. Appeals urgently to Governments, United Nations bodies, the specialized agencies, regional intergovernmental organizations and non-governmental organizations to take effective action to combat and eliminate summary or arbitrary executions, including extra-legal executions;

4. Reaffirms Economic and Social Council resolution 1982/35 of 7 May 1982, in which the Council decided to appoint a special rapporteur to consider the questions related to summary or arbitrary executions;

3/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. E.

5. Welcomes Economic and Social Council decision 1990/233 of 25 May 1990, in which the Council approved the decision of the Commission on Human Rights 4/ to extend the mandate of the Special Rapporteur for another two years and also approved the Commission's request to the Secretary-General to continue to provide all necessary assistance to the Special Rapporteur;

6. Urges all Governments, in particular those that have consistently not responded to communications transmitted to them by the Special Rapporteur, and all others concerned to co-operate with and assist the Special Rapporteur so that he may carry out his mandate effectively;

7. Requests the Special Rapporteur, in carrying out his mandate, to respond effectively to information that comes before him, in particular when a summary or arbitrary execution is imminent or threatened, or when such an execution has recently occurred, and, furthermore, to promote exchanges of views between Governments and those who provide reliable information to the Special Rapporteur, where the Special Rapporteur considers that such exchanges of information might be useful;

8. Welcomes the recommendations made by the Special Rapporteur in his reports, 5/ to the Commission on Human Rights at its forty-fourth, forty-fifth and forty-sixth sessions with a view to eliminating summary or arbitrary executions;

9. Encourages Governments, international organizations and non-governmental organizations to organize training programmes and support projects with a view to training or educating law enforcement officers in human rights issues connected with their work, and appeals to the international community to support endeavours to that end;

10. Considers that the Special Rapporteur, in carrying out his mandate, should continue to seek and receive information from Governments, United Nations bodies, specialized agencies, regional intergovernmental organizations and non-governmental organizations in consultative status with the Economic and Social Council, as well as medical and forensic experts;

11. Requests the Secretary-General is to continue to provide all necessary assistance to the Special Rapporteur so that he may effectively carry out his mandate;

12. Again requests the Secretary-General to continue to use his best endeavours in cases where the minimum standard of legal safeguards provided for in articles 6, 14 and 15 of the International Covenant on Civil and Political Rights appear not to have been respected;

4/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22 and Corr.1), chap. II, sect. A, resolution 1990/51.

5/ E/CN.4/1988/22 and Add.1 and 2, E/CN.4/1989/25 and E/CN.4/1990/22 and Corr.1 and Add.1.

13. Requests the Commission on Human Rights at its forty-seventh session, on the basis of the report of the Special Rapporteur to be prepared in conformity with Economic and Social Council resolutions 1982/35, 1983/36, 1984/35, 1985/40, 1986/36, 1987/60 and 1988/38, to make recommendations concerning appropriate action to combat and eventually eliminate the abhorrent practice of summary or arbitrary executions.

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.82
26 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Cuba: draft resolution

Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the strict observance of the principle of non-intervention

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and the need to promote social progress and to raise the level of life within a wider concept of liberty,

Bearing in mind that one of the cardinal purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Recalling that in accordance with Articles 55 and 56 of the Charter of the United Nations all Member States are obliged to take joint and separate action in co-operation with the Organization with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, in order to promote universal respect for human rights and fundamental freedoms for all and the effectiveness of these rights and freedoms,

Convinced that such co-operation should be based on an in-depth understanding of the wide range of problems existing in the various societies represented in the Organization and in the full respect for their respective political, economic and social realities,

Recalling its resolution 32/130 of 16 December 1977, in which it stated that all human rights and fundamental freedoms of the human person and peoples were inalienable, indivisible and interdependent, and consequently the questions relating to human rights should be examined globally, taking into account both the overall context of the various societies and their modalities, as well as the need for the promotion of the full dignity of the human person and the development of the well-being of the society,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981, which contain, respectively, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States,

Reiterating that nothing contained in the Charter shall authorize the United Nations, a Member State or a group of States to intervene in matters which are essentially within the domestic jurisdiction of any State,

Reaffirming the duty of a State to refrain from the exploitation and distortion of human rights issues as a means of interfering in the internal affairs of States, of exerting pressure on other States or creating distrust and disorder within and among States or groups of States,

Also reaffirming the right and duty of States to combat, within their constitutional prerogatives, the dissemination of false or distorted news that can be interpreted as interference in the internal affairs of other States or as being harmful to the promotion of peace, co-operation and friendly relations among States and nations,

Taking into account the increase in governmental, non-governmental and transnational mass media actions in defamatory campaigns, vilifications or hostile propaganda for the purpose of intervening or interfering in the internal affairs of other States under the pretext of humanitarian concerns,

1. Reaffirms the sovereign right of all people freely to determine, consolidate and defend their own political, economic, cultural and social system, without outside interference, subversion, coercion or threat in any form whatsoever;

2. Reiterates that the exploitation and distortion of human rights issues as a means of interfering in the internal affairs of States, of exerting pressure on other States or creating distrust and disorder within and among States or groups of States, is as contrary to the basic principles of international law as any other kind of intervention;

3. Expresses its profound conviction that the use of the human rights issue for political purposes creates serious obstacles for the achievement of an atmosphere of détente, peace and co-operation in international relations and

adversely affects the real possibilities to find a solution to international humanitarian problems as well as an effective promotion, protection and realization of human rights and fundamental freedoms, in particular in the developing countries subject to such campaigns;

4. Underlines the urgent need to achieve dissemination of impartial and objective information on the political, economic and social situations and events of all countries, in particular concerning the existing situation in the developing countries in the field of human rights, in order to contribute to the promotion of a climate of true confidence, co-operation at the international level, friendly relations and effective collaboration among all nations large and small, regardless of their diverse political, economic and social systems and different levels of development;

5. Calls upon all Member States to adopt, within the framework of their respective legal system, the measures that they may deem appropriate to achieve such objectives;

6. Requests the Commission on Human Rights to establish at its forty-seventh session an open-ended working group to examine the contents of the present resolution in order to consider:

(a) The elaboration of a declaration regarding the strengthening of United Nations action in the human rights field through the promotion of international co-operation and the strict observance of the principle of non-intervention;

(b) The ways and mechanisms that could be established to strengthen United Nations action in this field and to examine non-compliance with the present resolution;

7. Requests the Commission on Human Rights, at its forty-seventh session, to report to the General Assembly, through the Economic and Social Council on the outcome of the discussion in the open-ended working group;

8. Requests the Secretary-General to take into account, in the implementation of the resolutions regarding programmes on the World Public Information Campaign on Human Rights, the concerns and provisions contained in the present resolution, as well as the concepts and principles contained in General Assembly resolutions 2131 (XX), 2625 (XXV), 36/103 and 32/130;

9. Requests the Secretary-General to transmit to Member States the text of the present resolution, requesting them to communicate their views on ways to strengthen the United Nations action in this field through the promotion of co-operation among Member States and the strict observance of the principle of non-intervention, and to report to the General Assembly at its forty-sixth session the answers received, under the item entitled "Report of the Economic and Social Council".

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.82/Rev.1
3 December 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Cuba: revised draft resolution

Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the strict observance of the principle of non-intervention

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and its determination to promote social progress and better standards of living with greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind also that one of the purposes of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that in accordance with Articles 55 and 56 of the Charter of the United Nations, the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples, and that all Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of such purposes,

Desirous of achieving further progress in international co-operation in the field of promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international co-operation should be based on the principles embodied in the Charter of the United Nations and in the international law, including the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights 2/ and other relevant instruments,

Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities and the variety of problems existing in different societies,

Recalling its resolution 32/130 of 16 December 1977,

Bearing in mind its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981, which contain, respectively, the Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, the Declaration on Principles of International Law concerning Friendly Relations and Co-operation among States in accordance with the Charter of the United Nations and the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States,

Reiterating that nothing contained in the Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any State,

Convinced of the duty of States to refrain from the political manipulation of human rights issues as a means of interfering in the internal affairs of other States,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under the Charter and international law, including various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development, and that every State has the duty to respect that right within the provisions of the Charter;

2. Affirms the responsibility of Member States to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to the violations of human rights wherever they occur;

1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter of the United Nations, the Universal Declaration of Human Rights, 1/ the International Covenant on Civil and Political Rights, 2/ the International Covenant on Economic, Social and Cultural Rights 2/ and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

4. Considers that such co-operation should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Reaffirms that Member States should fulfil in good faith the obligations assumed under the Charter and under the generally recognized principles and rules of international law, including the obligations assumed under international treaties and other agreements valid under those principles and rules, and that they should refrain from the manipulation of human rights issues for political motives as a means of intervening in the internal affairs of States;

6. Expresses its conviction that the manipulation of human rights issues for political purposes can create serious obstacles for the achievement of an atmosphere of détente, peace and co-operation in international relations and adversely affects the real possibilities of finding a solution to international humanitarian problems as well as effective promotion, protection and realization of human rights and fundamental freedoms;

7. Underlines the urgent need for impartial and objective information on the political, economic and social situations and events in all countries in order to contribute to the promotion of true confidence, co-operation at the international level, friendly relations and effective collaboration among all nations, large and small, regardless of their diverse political, economic and social systems and different levels of development;

8. Calls upon all Member States to adopt, within the framework of their respective legal systems, and in accordance with their obligation under the Charter of the United Nations and international law, including international human rights instruments, the measures that they may deem appropriate to achieve such objectives;

9. Requests the Commission on Human Rights at its forty-seventh session, to examine the content of the present resolution, including ways and means to strengthen United Nations action in this regard, and to report thereon, through the Economic and Social Council, to the General Assembly at its forty-sixth session.

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.82/Rev.2
4 December 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Cuba: revised draft resolution

Strengthening of United Nations action in the human rights field through the promotion of international co-operation and the importance of non-selectivity, impartiality and objectivity

The General Assembly,

Reaffirming its faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women and of nations large and small and its determination to promote social progress and better standards of living with greater freedom,

Bearing in mind that one of the purposes of the United Nations is to develop friendly relations among nations based on respect for the principle of equal rights and self-determination of peoples and to take other appropriate measures to strengthen universal peace,

Bearing in mind equally that one of the purposes of the United Nations is to achieve international co-operation in solving international problems of an economic, social, cultural or humanitarian character and in promoting and encouraging respect for human rights and fundamental freedoms for all without distinction as to race, sex, language or religion,

Recalling that in accordance with Articles 55 and 56 of the Charter of the United Nations, the United Nations shall promote universal respect for, and observance of, human rights and fundamental freedoms for all, with a view to the creation of conditions of stability and well-being which are necessary for peaceful and friendly relations among nations based on respect for the principle of equal

rights and self-determination of peoples, and that all Members pledge themselves to take joint and separate action in co-operation with the Organization for the achievement of the purposes set forth in Article 55,

Reiterating that Member States should continue to act in this area in conformity with the provisions of the Charter,

Desirous of achieving further progress in international co-operation in the field of promoting and encouraging respect for human rights and fundamental freedoms,

Considering that such international co-operation should be based on the principles embodied in international law, including the Charter, as well as the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights 2/ and other relevant instruments,

Deeply convinced that such co-operation should be based on a profound understanding of the economic, social and cultural realities and the variety of problems existing in different societies,

Recalling its resolutions 32/130 of 16 December 1977, 37/200 of 18 December 1982, 41/155 of 4 December 1986 and 43/155 of 8 December 1988,

Aware of its resolutions 2131 (XX) of 21 December 1965, 2625 (XXV) of 24 October 1970 and 36/103 of 9 December 1981,

Aware of the fact that the promotion, protection and full realization of all human rights and fundamental freedoms as legitimate concerns of the world community should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends,

Underlining the obligation that Governments have to promote and protect human rights and to carry out the responsibilities that they have undertaken under international law, including the Charter, as well as various international instruments in the field of human rights,

1. Reiterates that, by virtue of the principle of equal rights and self-determination of peoples enshrined in the Charter of the United Nations, all peoples have the right freely to determine, without external interference, their political status and to pursue their economic, social and cultural development and that every State has the duty to respect that right within the provisions of the Charter;

1/ Resolution 217 A (III).

2/ See resolution 2200 A (XXI), annex.

2. Reaffirms that it is a purpose of the United Nations and the task of all Member States in co-operation with the Organization to promote and encourage respect for human rights and fundamental freedoms and to remain vigilant with regard to violations of human rights wherever they occur;

3. Calls upon all Member States to base their activities for the protection and promotion of human rights, including the development of further international co-operation in this field, on the Charter, the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, 2/ the International Covenant on Economic, Social and Cultural Rights 2/ and other relevant international instruments and to refrain from activities that are inconsistent with this international legal framework;

4. Considers that such co-operation should make an effective and practical contribution to the urgent task of preventing mass and flagrant violations of human rights, to the promotion of human rights and fundamental freedoms for all and to the strengthening of international peace and security;

5. Affirms that the promotion, protection and full realization of all human rights and fundamental freedoms, as legitimate concerns of the world community, should be guided by the principles of non-selectivity, impartiality and objectivity and should not be used for political ends;

6. Expresses its conviction that an unbiased and fair approach to human rights issues contributes to the promotion of international co-operation to an effective promotion, protection and realization of human rights and fundamental freedoms;

7. Underlines, in this context, the continuing need for impartial and objective information on the political, economic and social situations and events of all countries;

8. Invites Member States to consider adopting as appropriate within the framework of their respective legal systems and in accordance with their obligations under international law, including the Charter as well as international human rights instruments, the measures that they may deem appropriate to achieve further progress in international co-operation in the field of promoting and encouraging respect for human rights and fundamental freedoms;

9. Requests the Commission on Human Rights, at its forty-seventh session, to examine the content of the present resolution, including ways and means to strengthen United Nations action in this regard.

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.83
26 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Ukrainian Soviet Socialist Republic: draft resolution

Non-discrimination and protection of minorities

The General Assembly,

Reaffirming that one of the main purposes of the United Nations, as proclaimed in its Charter, is to achieve international co-operation in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Inspired by the provisions of article 27 of the International Covenant on Civil and Political Rights 1/ concerning the rights of persons belonging to ethnic, religious or linguistic minorities,

Mindful of the work done so far within the United Nations system, in particular by the Commission on Human Rights and the Sub-Commission on Prevention of Discrimination and Protection of Minorities, as well as other regional intergovernmental forums and the bodies established pursuant to the relevant international instruments in this field,

Bearing in mind that the culture, ways of life and traditions of such minorities form an integral part of civilization and world culture, and that their identity should be protected,

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1/ See resolution 2200 A (XXI), annex.

Considering that respect for the rights of persons belonging to minorities is an important factor in the realization of human rights, and in peace, justice, stability and democracy,

Mindful also that persons belonging to minorities can exercise and enjoy their rights individually as well as in community with other members of their group, and that no disadvantage may arise for a person belonging to a minority on account of the exercise or non-exercise of any such rights,

Convinced that questions relating to minorities can only be satisfactorily resolved in a democratic political framework based on the rule of law with a functioning independent judiciary, since this framework is a condition for guaranteeing full respect for human rights and fundamental freedoms and equality before the law,

Conscious of the particular importance of increasing constructive co-operation among States on questions relating to minorities aimed at facilitating mutual understanding and confidence, friendly and good-neighbourly relations, international peace, security and justice,

Recognizing the need to ensure for all, without discrimination of any kind, full enjoyment of human rights and fundamental freedoms, and to this end to accomplish the elaboration of the draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities,

Noting that commitments related to the protection of the rights of persons belonging to minorities may not be interpreted as implying any right to engage in any activity or perform any action in contravention of the purposes and principles of the Charter or other obligations under international law, including the principle of territorial integrity of States,

1. Appeals to States to respect the right of persons belonging to nationa or ethnic, religious and linguistic minorities to exercise their human rights and fundamental freedoms fully and effectively, without any discrimination and in full equality with other citizens before the law, and to adopt, where necessary, special measures for this purpose;

2. Calls upon States to take the necessary measures, in accordance with the decision-making procedure of each State, to protect the identity of national or ethnic, cultural, linguistic and religious minorities where they exist, and to maintain and where necessary to create conditions for the enjoyment of their identity without discrimination with respect to other citizens;

3. Invites States to respect the right of persons belonging to minorities to participate effectively in public affairs, including in decisions relating to the protection of the identity of such minorities;

4. Stresses that the guarantee and exercise of the rights of minorities will contribute to the respect of the territorial integrity of States, promote economic, social and cultural development and enhance the stability of the States in which they live;

5. Also calls upon States to co-operate closely in finding peaceful and constructive solutions to problems related to minorities, and in so doing to act in accordance with international law and existing international agreements;

6. Welcomes the completion by the open-ended working group within the Commission on Human Rights of the first reading of the full text of draft declaration on the rights of persons belonging to national, ethnic, religious and linguistic minorities, and encouraged the Commission to complete the final text as soon as possible and to transmit it to the General Assembly through the Economic and Social Council;

7. Welcomes also Economic and Social Council decision 1990/238 approving the request by the Commission on Human Rights that the Secretary-General extend all possible assistance to the open-ended working group which may be needed in its further work on the draft declaration;

8. Decides to continue its consideration of this question at its forty-sixth session under the item entitled "Report of the Economic and Social Council".

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.84
27 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Australia, Brazil, Canada, Colombia, Czechoslovakia, Ecuador, Guatemala, Hungary, Mexico, Norway, Philippines, Senegal, Union of Soviet Socialist Republics and Zaire: draft resolution

International Year for the World's Indigenous People

The General Assembly,

Bearing in mind that one of the purposes of the United Nations set forth in the Charter is the achievement of international co-operation in solving international problems of an economic, social, cultural or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language or religion,

Taking note of the recommendation of the Economic and Social Council, in its decision 1990/248 of 25 May 1990, that the General Assembly proclaim 1993 as an international year for the world's indigenous people,

Taking into account the guidelines for international years and anniversaries adopted in its decision 35/424 of 5 December 1980,

1. Proclaims 1993 as International Year for the World's Indigenous People, with a view to strengthening international co-operation for the solution of problems faced by indigenous communities in such areas as human rights, the environment, development, education, health and so on;

2. Invites States to ensure that preparations are made for the Year;

3. Recommends that the specialized agencies, regional commissions and other organizations of the United Nations system consider at their respective forums the contributions that they can make to the success of the Year;

4. Invites indigenous organizations and other interested non-governmental organizations to consider the contributions they can make to the success of the Year, with a view to presenting them to the Commission on Human Rights;

5. Requests the Commission on Human Rights to consider at its forty-seventh session possible United Nations activities in connection with the Year;

6. Authorizes the Secretary-General to accept and administer voluntary contributions from Governments, intergovernmental organizations and non-governmental organizations for the purposes of funding programme activities of the Year;

7. Requests the Secretary-General to submit to the General Assembly at its forty-sixth session a draft programme of activities based on the recommendations of the Economic and Social Council and of the specialized agencies;

8. Decides to include in the provisional agenda of its forty-sixth session an item entitled "Preparation and organization of the International Year for the World's Indigenous People".

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.85
27 November 1990
ENGLISH
ORIGINAL: FRENCH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Austria, Belgium, Canada, Costa Rica, Côte d'Ivoire, Cyprus, Denmark, France, Germany, Greece, Netherlands, Norway, Portugal, Rwanda, Samoa, Senegal, Spain and Yugoslavia: draft resolution

Question of enforced or involuntary disappearances

The General Assembly,

Recalling its resolution 33/173 of 20 December 1978 concerning disappeared persons, and its resolution 44/160 of 15 December 1989 on the question of enforced or involuntary disappearances,

Deeply concerned about the persistence, in certain cases, of the practice of enforced or involuntary disappearances, and about the fact that, in certain cases, the families of disappeared persons have been the target of intimidation and ill treatment,

Expressing its profound emotion at the anguish and sorrow of the families concerned, who are unsure of the fate of their relatives,

Concerned by the growing number of reports concerning harassment of witnesses of disappearances or relatives of disappeared persons,

Convinced of the need to continue implementing the provisions of its resolution 33/173 and of the other United Nations resolutions on the question of enforced or involuntary disappearances, with a view to finding solutions for cases of disappearances and helping to eliminate such practices,

Bearing in mind Commission on Human Rights resolution 1990/30 of 2 March 1990, 1/

1. Expresses its appreciation to the Working Group on Enforced or Involuntary Disappearances for its humanitarian work and to those Governments that have co-operated with it;

2. Welcomes the decision of the Commission on Human Rights, at its forty-sixth session, to extend for two years the term of the mandate of the Working Group, as defined in Commission resolution 20 (XXXVI) of 29 February 1980, 2/ while maintaining the principle of annual reporting by the Working Group;

3. Recalls the provisions made by the Commission on Human Rights in its resolution 1986/55 of 13 March 1986 3/ to enable the Working Group to fulfil its mandate with greater efficiency;

4. Notes with satisfaction that the Working Group on Detention of the Sub-Commission on Prevention of Discrimination and Protection of Minorities has completed preparation of the draft declaration on the protection of all persons from enforced or involuntary disappearances and that the Sub-Commission has decided to transmit the draft to the Commission on Human Rights; 4/

5. Appeals to the Governments concerned, particularly those which have not yet replied to the communications addressed to them by the Working Group, to co-operate fully with it so as to enable it, with respect for its working methods based on discretion, to perform its strictly humanitarian role, and in particular to reply more quickly to the requests for information addressed to them;

6. Encourages the Governments concerned to consider the wish of the Working Group, when such a wish is expressed, to visit their countries, thus enabling it to fulfil its mandate even more effectively;

7. Extends its warm thanks to those Governments that have invited the Working Group and requests them to give all necessary attention to its recommendations;

8. Appeals to the Governments concerned to take steps to protect the families of disappeared persons against any intimidation or ill-treatment of which they may be the target;

1/ See Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

2/ Ibid., 1980, Supplement No. 3 and corrigendum (E/1980/13 and Corr.1 and 2), chap. XXVI, sect. A.

3/ Ibid., 1986, Supplement No. 2 (E/1986/22), chap. II, sect. A.

4/ E/CN.4/1990/13.

9. Calls upon the Commission on Human Rights to continue to study this question as a matter of priority and to take any step it may deem necessary to the pursuit of the task of the Working Group when it considers the report to be submitted by the Working Group to the Commission at its forty-seventh session;

10. Renews its request to the Secretary-General to continue to provide the Working Group with all necessary facilities.

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.86
27 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Argentina, Australia, Austria, Belgium, Canada, Costa Rica, Cyprus, Denmark, Finland, France, Germany, Hungary, Iceland, Italy, Norway, Philippines, Samoa, Senegal, Sweden and United Kingdom of Great Britain and Northern Ireland: draft resolution

Human rights in the administration of justice

The General Assembly,

Bearing in mind the principles embodied in articles 3, 5, 9, 10 and 11 of the Universal Declaration of Human Rights 1/ and the relevant provisions of the International Covenant on Civil and Political Rights 2/ and the Optional Protocol thereto, in particular article 6 of the Covenant, which explicitly states that no one shall be arbitrarily deprived of his life and prohibits the imposition of the death penalty for crimes committed by persons below eighteen years of age,

Bearing in mind also the relevant principles embodied in the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment 3/ and in the International Convention on the Elimination of All Forms of Racial Discrimination, 4/

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ Resolution 39/46, annex.

4/ Resolution 2106 A (XX), annex.

Calling attention to the numerous international standards in the field of the administration of justice, such as the Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment, 5/ the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power 6/ and the safeguards guaranteeing protection of the rights of those facing the death penalty, 7/ as well as the Basic Principles on the Independence of the Judiciary, 8/ the Model Agreement on the Transfer of Foreign Prisoners and recommendations on the treatment of foreign prisoners, 9/ as well as the Code of Conduct for Law Enforcement Officials 10/ and the Standard Minimum Rules for the Treatment of Prisoners, 11/

Reaffirming also in this context the importance of the principles contained in its resolution 41/120 of 4 December 1986 on standard-setting in the field of human rights,

Recognizing the important contribution of the Commission on Human Rights in the field of human rights in the administration of justice, as reflected in its resolutions 1990/81 of 7 March 1990 on human rights in the administration of justice, 1990/33 of 2 March 1990 on the independence and impartiality of the judiciary, jurors and assessors and the independence of lawyers, 1990/35 of 2 March 1990 on compensation for victims of gross violations of human rights, 1990/37 on the use of force by law enforcement officials of 6 March 1990 and 1990/51 of 6 March 1990 on summary or arbitrary executions, 12/

Welcoming resolution 1990/33 of the Sub-Commission on Prevention of Discrimination and Protection of Minorities adopting a draft declaration on the protection of all persons from enforced or involuntary disappearances, and inviting the Commission on Human Rights to consider the draft declaration as a matter of high priority with a view to making final recommendations at its forty-seventh session,

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5/ Resolution 43/173, annex.

6/ Resolution 40/34, annex.

7/ Economic and Social Council resolution 1984/50, annex.

8/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1), chap. I, sect. D.2.

9/ Ibid., sect. D.1.

10/ Resolution 34/169, annex.

11/ See Human Rights: A Compilation of International Instruments (United Nations publication, Sales No. E.88.XIV.1).

12/ Official Records of the Economic and Social Council, 1990, Supplement No. 2 (E/1990/22), chap. II.A.

Also welcoming the decision of the Sub-Commission on Prevention of Discrimination and Protection of Minorities to entrust Mr. Louis Joinet with the preparation of a report on strengthening the independence of the judiciary and the protection of practising lawyers as described in Sub-Commission resolution 1990/23, and encouraging the Sub-Commission, in giving further consideration to the question of the independence and impartiality of the judiciary and the independence of lawyers, to take into account the basic principles adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, 13/

Welcoming further the progress achieved by the Sub-Commission on the subject of compensation for victims of gross violation of human rights,

Recognizing the significant work accomplished in this area under the United Nations crime prevention and criminal justice programme, especially by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, in particular in relation to the formulation and application of United Nations standards and norms in the administration of justice under item 7 of its agenda,

Underlining the need for further co-ordinated and concerted action in promoting respect for human rights in the administration of justice,

Recalling its resolution 44/162 of 15 December 1990,

1. Reaffirms the importance of the full and effective implementation of United Nations norms and standards on human rights in the administration of justice;

2. Once again calls upon all States to pay due attention to these norms and standards in developing national or regional strategies for their practical implementation and to spare no effort in providing for effective legislative and other mechanisms and procedures, as well as for adequate financial resources to ensure more effective implementation of these norms and standards;

3. Takes note with appreciation of the recommendations made by the Eighth United Nations Congress on the Prevention of Crime and Treatment of Offenders with a view to ensuring more effective application of existing standards, in particular the Standard Minimum Rules for the Treatment of Prisoners, the Code of Conduct for Law Enforcement Officials, the safeguards guaranteeing the rights of those facing the death penalty, the Standard Minimum Rules for the Administration of Juvenile Justice, 11/ the Declaration of Basic Principles of Justice for Victims of Crime and Abuse of Power and the Basic Principles on the Independence of the Judiciary;

4. Welcomes furthermore the Basic Principles on the Role of Lawyers, the Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, the Guidelines on the Role of Prosecutors, the Basic Principles for the Treatment of Prisoners, the Standard Minimum Rules for Non-custodial Measures and the Rules for

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13/ A/CONF.144/28.

the Protection of Juveniles Deprived of their Liberty, unanimously adopted by the Eighth United Nations Congress, and invites Governments to respect them and to take them into account within the framework of their national legislation and practice;

5. Welcomes the model treaty on the transfer of supervision of offenders conditionally sentenced or conditionally released 14/ and the recommendations on the treatment of foreign prisoners adopted unanimously by the Eighth Congress, and invites Member States to take them into account as well as the model agreement on the transfer of foreign prisoners 15/ in establishing treaty relations with other Member States or in revising existing treaty relations;

6. Endorses Economic and Social Council resolution 1990/21 of 24 May 1990 on the implementation of United Nations standards and norms in crime prevention and criminal justice;

7. Requests the Commission on Human Rights to mandate the Sub-Commission on Prevention of Discrimination and Protection of Minorities:

(a) To study the implementation of United Nations norms and standards in this field;

(b) To identify problems that may impinge on the effective implementation of these standards and norms;

(c) To recommend viable solutions with action-oriented proposals to the Commission;

8. Requests the Secretary-General:

(a) To provide the necessary compilatory and analytical documentation to the Sub-Commission for these tasks;

(b) To prepare, on the basis of comments by Member States and relevant international organizations and bodies, as well as non-governmental organizations, a draft sample model text for national legislation in the field of human rights in the administration of justice;

(c) To co-ordinate these activities of the Commission on Human Rights and its Sub-Commission with the relevant activities of the Committee on Crime Prevention and Control;

14/ A/CONF.144/28, chap. I, sect. A.

15/ See Seventh United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Milan, 26 August-6 September 1985: report prepared by the Secretariat (United Nations publication, Sales No. E.86.IV.1).

(d) To invite those Member States as well as organizations and bodies that have not yet done so to comment on the aspects of human rights issues in the field of administration of justice they deem relevant to the work of the Sub-Commission;

9. Requests the Commission on Human Rights to invite the Sub-Commission to consider this draft sample model with a view to a further elaboration of model texts and to propose such texts to the Commission for adoption;

10. Requests the Secretary-General:

(a) To continue to assist Member States, at their request, in implementing existing international human rights standards in the administration of justice, in particular under the programme of advisory services;

(b) To continue to provide all necessary support to United Nations bodies working on standard-setting in this field;

(c) To continue to co-ordinate the various technical advisory services carried out by the Centre for Human Rights and the Centre for Social Development and Humanitarian Affairs of the Secretariat with a view to undertaking joint programmes and strengthening existing mechanisms for the protection of human rights in the administration of justice;

11. Emphasizes the important role of the regional commissions, specialized agencies and the United Nations institutes in the area of human rights and crime prevention and criminal justice and other organizations of the United Nations system, as well as intergovernmental and non-governmental organizations, including national professional associations concerned with promoting United Nations standards in this field;

12. Decides to consider at its forty-sixth session the question of human rights in the administration of justice.

UNITED
NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.87
27 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Austria, Belgium, Brazil, Colombia, Costa Rica, Côte d'Ivoire, Ecuador, Germany, Hungary, Italy, Netherlands, Norway, Philippines, Samoa, Senegal, Togo, Union of Soviet Socialist Republics and Uruguay: draft resolution

Regional arrangements for the promotion and protection of human rights

The General Assembly,

Recalling its resolution 32/127 of 16 December 1977 and all its subsequent resolutions concerning regional arrangements for the promotion and protection of human rights, in particular resolutions 43/140 and 43/152 of 8 December 1988,

Recalling that, in its resolution 43/152, the General Assembly invited the Secretary-General to submit to the Assembly at its forty-fifth session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of that resolution,

Recalling Commission on Human Rights resolution 1989/72 of 8 March 1989 1/ and taking note of Commission resolution 1990/58 of 7 March 1990 2/ concerning advisory services in the field of human rights,

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1/ Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

2/ Ibid., 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

Recalling also Commission on Human Rights resolution 1989/50 of 7 March 1989 1/ and taking note of Commission resolution 1990/71 of 7 March 1990 2/ concerning regional arrangements for the promotion and protection of human rights in the Asian-Pacific region,

Having considered the report of the Secretary-General on regional arrangements for the promotion and protection of human rights, 3/

Noting with satisfaction the progress achieved so far in the promotion and protection of human rights at the regional level under the auspices of the United Nations, the specialized agencies and the regional intergovernmental organizations,

Reaffirming that regional arrangements for the promotion and protection of human rights may make a major contribution to the effective enjoyment of human rights and fundamental freedoms and that the exchange of information and experience in this field among the regions, within the United Nations system, may be improved,

Bearing in mind that regional instruments should complement the universally accepted human rights standards and that the persons chairing the human rights treaty bodies of the United Nations noted during their 3rd meeting, held at Geneva from 1 to 5 October 1990, that certain inconsistencies between provisions of international instruments and those of regional instruments might raise difficulties with regard to their implementation, 4/

1. Takes note of the report of the Secretary-General;

2. Notes with interest that various contacts between regional bodies and commissions and the United Nations have continued to be pursued and strengthened through advisory services and technical assistance activities, particularly those relating to the organization of regional and subregional training courses in the field of human rights;

3. Welcomes in that respect the close co-operation given by the Centre for Human Rights of the Secretariat in the organization of the training courses or workshops that, as mentioned by the Secretary-General in his report, took place at Banjul, Brasilia, Buenos Aires, Castelgandolfo, Manila, Moscow, Quito and San Remo; 5/

4. Welcomes also the assistance of the Centre for Human Rights in the establishment of the African Centre for Democracy and Human Rights Studies at Banjul, welcomes further its co-operation with the Economic and Social Commission for Asia and the Pacific, the International Institute for Human Rights at

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3/ A/45/348.

4/ A/45/636, annex, para. 27.

5/ A/45/348, sect. II.

Strasbourg and the Inter-American Institute for Human Rights at San José and finally welcomes its technical assistance provided to the Arab Institute of Human Rights at Tunis;

5. Requests the Secretary-General to continue encouraging these developments;

6. Notes with interest in this regard the announcement by the Secretary-General in the proposed medium-term plan for the period 1992-1997 that efforts would be made to strengthen exchanges between the United Nations and regional intergovernmental bodies dealing with human rights issues 6/ and that it might be expected that during the medium-term plan period more national, regional and subregional workshops and training courses would be organized for administrators of justice and government officials engaged in the implementation of international conventions on human rights, and that more countries in all regions of the world would develop forms of co-operation and assistance with the Centre for Human Rights, in keeping with their specific needs; 7/

7. Invites States in areas where regional arrangements in the field of human rights do not yet exist to consider agreements with a view to the establishment within their respective regions of suitable regional machinery for the promotion and protection of human rights;

8. Endorses the appeal made to all Governments in Commission on Human Rights resolutions 1989/72 and 1990/58, to consider making use of the possibility offered by the United Nations of organizing, under the programme of advisory services in the field of human rights, information and/or training courses at the national level for appropriate government personnel on the application of international human rights standards and the experience of relevant international organs;

9. Requests the Commission on Human Rights to continue to pay special attention to the most appropriate ways of assisting, at their request, countries of the different regions under the programme of advisory services and to make, where necessary, the relevant recommendations;

10. Invites the Secretary-General to submit to the Commission on Human Rights at its forty-eighth session and to the General Assembly at its forty-seventh session a report on the state of regional arrangements for the promotion and protection of human rights and to include therein the results of action taken in pursuance of the present resolution;

11. Decides to consider this question further at its forty-seventh session.

6/ A/45/6 (Prog. 35), para. 35.26.

7/ Ibid., para. 35.33.

UNITED NATIONS

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General Assembly

Distr.
LIMITED

A/C.3/45/L.88
27 November 1990

ORIGINAL: ENGLISH

Forty-fifth session
THIRD COMMITTEE
Agenda item 12

REPORT OF THE ECONOMIC AND SOCIAL COUNCIL

Australia, China, Philippines, Sri Lanka and Thailand: draft resolution

Regional arrangements for the promotion and protection of human rights in the Asian and Pacific region

The General Assembly,

Recalling its previous resolutions, in particular resolution 43/140 of 8 December 1988, on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region,

Recognizing that regional arrangements make a major contribution to the promotion and protection of human rights and that non-governmental organizations may have a valuable role to play in this process,

Bearing in mind that intergovernmental arrangements for the promotion and protection of human rights have been established in other regions,

Reiterating its appreciation for the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region, held at Colombo from 21 June to 2 July 1982, 1/ the comments on the report of the Seminar received from the Economic and Social Commission for Asia and the Pacific and from States members of the Commission, 2/ and the report of the

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1/ A/37/422, annex.

2/ See A/39/174-E/1984/38 and Add.1 and E/CN.4/1986/19.

Secretary-General on the training course on human rights teaching held at Bangkok from 21 June to 2 July 1987 under the United Nations programme of advisory services in the field of human rights, 3/

Noting also the designation of the Social Development Division of the Economic and Social Commission for Asia and the Pacific as a regional human rights focal point,

Recalling Commission on Human Rights resolution 1989/50 of 7 March 1989 4/ and taking note of Commission resolution 1990/71 of 7 March 1990, 5/

1. Takes note of the report of the Secretary-General; 6/

2. Welcomes the designation of the library of the Economic and Social Commission for Asia and the Pacific as a depository centre for United Nations human rights materials within the Commission at Bangkok, the functions of which would include the collection, processing and dissemination of such materials in the Asian and Pacific region;

3. Renews its invitation to States members of the Economic and Social Commission for Asia and the Pacific that have not yet done so to communicate to the Secretary-General as soon as possible their comments on the report of the Seminar on National, Local and Regional Arrangements for the Promotion and Protection of Human Rights in the Asian Region and, in particular, to address themselves to the conclusions and recommendations in the report concerning the development of regional arrangements in Asia and the Pacific;

4. Requests the Secretary-General to ensure a continuing flow of human rights material to the library of the Economic and Social Commission for Asia and the Pacific at Bangkok for appropriate dissemination in the region;

5. Notes the efforts of United Nations development agencies in the Asian and Pacific region to promote the human rights dimension more actively and systematically in their development activities;

6. Encourages United Nations development agencies in the Asian and Pacific region to co-ordinate with the Economic and Social Commission for Asia and the Pacific their efforts to promote the human rights dimension in their activities;

3/ E/CN.4/1988/39/Add.1.

4/ Official Records of the Economic and Social Council, 1989, Supplement No. 2 (E/1989/20), chap. II, sect. A.

5/ Ibid., 1990, Supplement No. 2 (E/1990/22), chap. II, sect. A.

6/ A/45/210-E/1990/2.

7. Notes that an Asian-Pacific Workshop for Administrators of Justice on international human rights issues, including regional and national institutions and arrangements for the promotion and protection of human rights, was held at Manila from 7 to 11 May 1990, within the framework of the advisory services and technical assistance programme and the world public information campaign on human rights;

8. Requests the Secretary-General to submit a further report to the General Assembly at its forty-seventh session, through the Economic and Social Council, incorporating information on progress achieved in the implementation of the present resolution;

9. Decides to continue its consideration of the question at its forty-seventh session.